

**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent of:	)	
	)	
Gregory D. Vite, et al.	)	
	)	
Serial No.: 09/084,542	)	Examiner: Bruck Kifle
	)	
Filed: May 26, 1998	)	Art Unit: 1624
	)	
U.S. Patent: 6,605,599 issued August 12, 2003	)	Conf. No.: 5662
	)	
Title: Epothilone Derivatives	)	

**REQUEST FOR CERTIFICATE OF CORRECTION  
PURSUANT TO 37 C.F.R. § 1.324**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Attn: Certificate of Correction Branch

Sir:

Pursuant to 35 U.S.C. § 256 and 37 C.F.R. § 1.324, the Inventors Gregory D. Vite, Soong-Hoon Kim, Robert M. Borzilleri, James A. Johnson, Florenz Sasse, and Gerhard Höfle and Assignees of Record Bristol-Myers Squibb Company and Helmholtz-Zentrum für Infektionsforschung GmbH request issuance of the accompanying Certificate of Correction for the above-identified patent. In particular, the Inventors and Assignees seek to correct the listings of the inventors and assignees on the cover of the issued patent as follows:

At item (75) of the cover sheet, please add -- Florenz Sasse, Braunschweig (DE) -- and -- Gerhard Höfle, Braunschweig (DE) -- as inventors, and

at item (73) of the cover sheet, please add -- Helmholtz-Zentrum für Infektionsforschung GmbH, Braunschweig (DE) -- as an assignee.

Submitted herewith are:

1. A completed Certificate of Correction Form (PTO/SB/44),
2. A statement under 37 C.F.R. § 1.324(b)(1) from each of Florenz Sasse and Gerhard Höfle, who are being added as inventors, that the inventorship error occurred without any deceptive intention on his part,
3. A statement under 37 C.F.R. § 1.324(b)(2) from each of the currently named inventors Gregory D. Vite, Soong-Hoon Kim, Robert M. Borzilleri, and James A. Johnson that he does not disagree with the requested change,
4. Statements under 37 C.F.R. § 1.324(b)(3) from all assignees of the parties submitting a statement under 37 C.F.R. § 1.324(b)(1) or (b)(2) consenting to the change of inventorship in the patent, which statements comply with the requirements of 37 C.F.R. § 3.73(b), and
5. The fee set forth in 37 C.F.R. § 1.20(b).

Consideration of this Request and issuance of the Certificate of Correction are respectfully requested.

The Office is hereby authorized to charge the accompanying fee under 37 C.F.R. § 1.20(b), and any other required fees, to deposit account 13-2490.

If there are any questions or comments regarding this request, the Examiner is encouraged to contact the undersigned representative as indicated below.

Respectfully submitted,

Date: April 12, 2012

By: /Andrew W. Williams/  
Andrew W. Williams  
Registration No. 48,644

McDonnell Boehnen Hulbert & Berghoff LLP  
300 South Wacker Drive  
Chicago, IL 60606  
Telephone: (312) 913-0001  
Facsimile: (312) 913-0002

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

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PATENT NO. : 6,605,599  
APPLICATION NO.: 09/084,542  
ISSUE DATE : August 12, 2003  
INVENTOR(S) : Gregory D. Vite, et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At item (75) of the cover sheet:

please add -- Florenz Sasse, Braunschweig (DE) -- and

-- Gerhard Höfle, Braunschweig (DE) -- as inventors, and

at item (73) of the cover sheet:

please add -- Helmholtz-Zentrum für Infektionsforschung GmbH, Braunschweig (DE) -- as an assignee.

### MAILING ADDRESS OF SENDER (Please do not use customer number below):

McDonnell Boehnen Hulbert & Berghoff LLP  
300 South Wacker Drive,  
Chicago, IL 60606

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Gregory D. Vite, et al.

Serial No.: 09/084,542

Filed: May 26, 1998

U.S. Patent: 6,605,599 issued August 12, 2003

Title: Epothilone Derivatives

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) Examiner: Bruck Kifle  
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) Art Unit: 1624  
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) Conf. No.: 5662  
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Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**STATEMENT OF THE INVENTORS PURSUANT TO 37 C.F.R. § 1.324(b)(1)**

Sir/Madam:

The inventors listed below submit this statement in support of the Request for Certificate of Correction to correct inventorship under 37 C.F.R. § 1.324 of the above-identified patent. Each of the inventors listed below states that the error of failing to include him as an inventor of the above-identified patent occurred without deceptive intention on his part.

Dated: January 26, 2012

By: Florenz Sasse  
Florenz Sasse

Dated: January 25, 2012

By: Gerhard Höfle  
Gerhard Höfle

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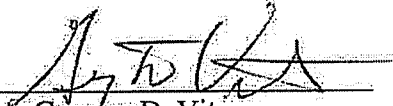
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**STATEMENT OF THE INVENTORS PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Sir/Madam:

The currently named inventors of the above-referenced patent submit this statement in support of the Request for Certificate of Correction to correct inventorship under 37 C.F.R. § 1.324. In view of the arbitration award related to this patent, each of the currently named inventors listed below states that he does not disagree with the requested change of inventorship.

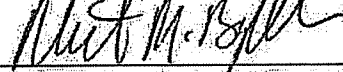
Dated: 3/2/2012

By:   
Gregory D. Vite

Dated: 2/14/2012

By:   
Soong-Hoon Kim

Dated: 2/17/2012

By:   
Robert M. Borzilleri

Dated: 2/10/2012

By:   
James A. Johnson